



WEB COPY

WP No. 10909 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 10909 of 2026

V.Madhan
S/O.Venugopal,
Res.at Cheyyur village
Cheyyur Taluk and post
Chengalpattu District -603 302

..Petitioner(s)

Vs

1. The Commissioner
Hindu Religious and charitable Endowments
Department
No.119, Uthamar Gandhi salai
Nungambakkam
Chennai-600 034
2. The Joint commissioner
Hindu Religious and charitable Endowments
Department
Kanchipuram
3. The District Collector
Chengalpattu District
Collectorate,
Chengalpattu
4. The Revenue Divisional officer
Maduranthagam,
Chengalpattu District
5. The Tahsildar
Cheyyur Taluk office
Cheyyur,
Chengalpattu District
6. The Block Development officer
Lathur Union,



Cheyur Taluk
Chengalpattu District

7. Pichai Mathan
S/o.Seth Sayubu
Cheyyur post and Taluk
Chengalpattu District

..Respondent(s)

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st respondent the commissioner Hindu Religious and Charitable Endowments Department, to consider the petitioners representation dated 14.12.2024 and pass appropriate orders on merits and in accordance with law to remove the encroachments from the premises of Arulmigu Kailasanathar Temple, Cheyyur Village, Chengalpattu District in old survey No.347/108, corresponding to New survey No.853/3A2 of Cheyyur B Village, to the extent of 29 cents and another parcel of land in Cheyyur A Village, under patta No.16, survey No.628/3 measuring 10 cents and to complete the pending temple renovation work within a time frame.

For Petitioner(s): Mr.A.Muthu Prakash through V.C.

For Respondent(s): Mr.M.Rajendiran, AGP for R1 to R5
Ms.R.L.Karthika, GA for R6

ORDER

This Writ Petition has been filed seeking a direction to the first respondent / the Commissioner, Hindu Religious and Charitable Endowments Department, to consider the petitioner's representation dated 14.12.2024 and to pass appropriate orders on merits and in accordance with law to remove the encroachments from the premises of Arulmigu Kailasanathar Temple, Cheyyur



Village, Chengalpattu District in old survey No.347/108, corresponding to New survey No.853/3A2 of Cheyyur B Village, to the extent of 29 cents and another parcel of land in Cheyyur A Village, under patta No.16, survey No.628/3 measuring 10 cents and to complete the pending temple renovation work, within a time frame as fixed by this Court.

2. Heard the learned counsels appearing on either side. With the consent of both sides, the Writ Petition is taken up for hearing at the admission stage itself. Since no adverse order is to be passed in this Writ Petition as against the seventh respondent herein, notice to him is dispensed with.

3. It is the case of the petitioner that he is a devotee and resident of Cheyyur Village and his grievance is that the temple lands of Arulmigu Kailasanathar was illegally encroached and subdivided and pattas were also issued in the name of private parties, which paves to financial loss to the temple. The encroachments also prevents the general public as well as devotees to enter the temple for worship and further hampered the renovation work of the temple. In this regard, he made several representations to the respondents, which evoked no response and hence, the present Writ Petition.

4. The learned counsel for the petitioner submitted that the subject temple was built by Chola King Rajasekaraverman prior to 1000 years and the lands of



the said temple were illegally encroached by private parties and pattas were also issued in their names and due to the said encroachments, huge loss is caused to the temple and also hinders the worshippers and general public to enter into the temple and prevents the renovation work. He added that the fifth respondent had subdivided the land in Survey No.853/1 and issued patta to the seventh respondent herein to an extent of 29 cents and another parcel of land to an extent of 0.10 cents in Survey No.628/3. He further submitted that the petitioner along with general public made a representation dated 14.12.2024 to the first respondent and sent the copy of the same to the respondents 2 to 6 for which the second respondent requested a report from the Inspector, Cheyyur Range in regard to the said encroachments, however thereafter, there was no progress in the issue and hence, the present Writ Petition.

5. Per contra, the learned Additional Government Pleader submitted that the petitioner's claim is to cancel the patta issued by the fifth respondent to the seventh respondent and also other encroachers in regard to the subject lands. He further submitted that the petitioner instead of filing the present petition would have challenged the patta issued to the seventh respondent by the fifth respondent and hence, the act of the petitioner is uncertainable and thus, prayed this Court for appropriate orders.



6. The petitioner claims that the subject property belongs to the temple built by the Chola King Rajasekaraverman which is of more than 1000 years old and the lands were encroached by several private parties causing huge loss to the temple as well as creating hindrance to the worshippers & general public and preventing the renovation work of the temple. If at all, the petitioner is aggrieved by the issuance of pattas in respect of the subject land to the seventh respondent and other encroachers, the petitioner's remedy is to approach the Revenue Divisional Officer to cancel the said pattas or to file a petition before the fifth respondent in terms of Patta Passbook Act for removal of such encroachments.

7. Considering the facts and circumstances of the case and also taking note of the submissions made by the respective learned counsels, this Court directs the petitioner to make a representation to the fifth respondent for cancellation of pattas issued to the seventh respondent and other encroachers in respect of the subject lands, within a period of one week from the date of receipt of a copy of this order. Upon receipt of the same, the fifth respondent is directed to conduct an enquiry in regard to the subject issue after providing an opportunity of hearing to the petitioner and the seventh respondent as well as other encroachers and other interested parties, if any, and to pass appropriate orders in accordance with law, within a period of six weeks therefrom.



8. With the above observations and directions, the Writ Petition is disposed of. There shall be no order as to costs.

25-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

DP

To

1. The Commissioner
Hindu Religious and charitable Endowments
Department
No.119, Uthamar Gandhi salai
Nungambakkam
Chennai-600 034
2. The Joint commissioner
Hindu Religious and charitable Endowments
Department
Kanchipuram
3. The District Collector
Chengalpattu District
Collectorate,
Chengalpattu
4. The Revenue Divisional officer
Maduranthagam,
Chengalpattu District
5. The Tahsildar
Cheyyur Taluk office
Cheyyur,
Chengalpattu District
6. The Block Development officer
Lathur Union,
Cheyyur Taluk
Chengalpattu District



WEB COPY

WP No. 10909 of 2



M.DHANDAPANI, J.

DP

WP No. 10909 of 2026

25-03-2026